

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

THOMAS V. GIRARDI

No. 23 CR 54-1

Judge Ronald A. Guzman

**[PROPOSED] ORDER FOR COMPETENCY PROCEEDINGS**

Upon the government's motion, pursuant to 18 U.S.C. § 4241, the Court hereby FINDS and ORDERS as follows:

1. On March 8, 2023, the Court entered an Order (R. 47), with the agreement of the parties, finding reasonable cause to believe that defendant may be presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense, and a psychiatric or psychological examination of defendant shall be conducted.

2. The Court's March 8 Order advised the parties to be ready to discuss the posture of the case and how the competency proceedings shall proceed at the next status hearing, which hearing is schedule for April 13, 2023.

3. Defendant has another pending criminal case in the Central District of California. (*United States v. Girardi*, No. 23CR47, Staton, J. ("the CDCA Case").) The Court in the CDCA case has issued an order under 18 U.S.C. § 4241(b) regarding how defendant's competency proceedings shall proceed in that case. (*Id.*, R. 54.) Among

other things, that Court ordered that the parties' respective experts conduct the required examinations and submit their reports to the Court under seal, with copies to the parties in that case, by May 26, 2023.

4. This Court hereby orders that the examinations and reports to be completed in the CDCA case shall satisfy the corresponding requirements under 18 U.S.C. § 4241(b) in this case. Additionally, the Court orders that a copy of each report shall be filed under seal in this case, with copies to counsel for defendant and the government, contemporaneous with their filing in the CDCA case.

5. The Court in the CDCA case has also ordered briefing by the parties subsequent to the filing of the expert reports and that a competency hearing under 18 U.S.C. § 4242(c) occur on August 3, 2023. The parties in this case shall file a joint status report within three days after the completion of the competency hearing in the CDCA case, which report shall: (a) advise this Court concerning the CDCA court's ruling regarding defendant's competency; and (b) propose any appropriate steps for the resolution of the competency proceedings in this case.

ENTER:

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RONALD A. GUZMAN  
District Court Judge  
United States District Court  
Northern District of Illinois

Date: \_\_\_\_\_